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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,951	07/25/2006	Takeshi Ishigaki	SUZU1720	3389
44654 7590 04/11/2008 SPRINKLE IP LAW GROUP 1301 W. 25TH STREET SUITE 408 AUSTIN, TX 78705				
EXAMINER ROJAS, DANIEL E				
ART UNIT 2816		PAPER NUMBER		
MAIL DATE 04/11/2008		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/586,951

**Applicant(s)**

ISHIGAKI, TAKESHI

**Examiner**

DANIEL ROJAS

**Art Unit**

2816

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 February 2008.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) 1-5 and 11-20 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 6, 9 and 10 is/are rejected.  
7) ☒ Claim(s) 7 and 8 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 25 July 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☒ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Claims 1-5 and 11-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 2/6/2008.

### ***Drawings***

2. The drawings are objected to because all elements in the figures must be labeled appropriately according to their function (for example, element 12 in Figure 1 should be labeled "Global Counter"). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required

corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 6 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The specification and drawings fail to disclose, at a component level, how the second circuit supplies the first circuit with data when the counter signal has a value equal to a common multiple of  $n$  and  $m$ .

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 6 and 9-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. For claim 6, a plurality of counter outputs are defined but page 38, lines 8, 10, 15, 17, and 22 states "the counter signal." For claim 9, a plurality of counter outputs are defined but page 39, lines 24, 27 and page 40, line 2 states "the counter signal." For claim 10, which depends on claim 9, the term "the counter signal" is also used on page 40, lines 9 and 14. Therefore, it is unclear as to

which counter output signal "the counter signal" refers to. For the purposes of examination, examiner will interpret the counter signal supplied to the first clock circuit and first circuit as the output of the counter in the first area, the counter signal supplied to the second clock circuit and second circuit as the output of the counter in the second area, and the counter signal supplied to the third circuit as the output of the counter in the third circuit.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by Arnould et al (US Patent No. 6,118,314), hereinafter referred to as Arnould.

9. For claim 9, Arnould teaches a circuit comprising: a semiconductor substrate having a first area (14, Figure 2) and a second area (12, Figure 2); a plurality of counters one of which is provided in the first area (within 34, as explained below) and the second area (within 24, as explained below) and which cyclically count a same value at a same timing and output a counter signal as a result of counting (as explained below); a first circuit provided in the first area (27, Figure 3) supplied with the counter signal (as shown in Figure 3) and outputting a first signal when the counter signal has a first value (slave internal clock, as shown in Figure 3 and described below); and a second circuit provided in the second area (26), supplied with the counter signal and

supplying the first circuit with a second signal (17) containing information on a value of the counter signal obtained upon reception of the first signal (as explained below).

Arnould's specification states that "slave divider 34 can comprise the configuration of master divider 24 shown in Fig. 3" (column 6, lines 37-39). Therefore, Figure 3 shows the details of both the master divider and slave divider, wherein the signals master local clock, master internal clock, and master divider signal are replaced with slave local clock, slave internal clock, and slave divider signal for 34, respectively. Arnould further teaches that "master divider 24 and slave divider 34 are individually configured to divide the master local clock and slave local clock by three" (column 4, lines 53-55) and that the "master local clock signal and slave local clock signal individual have a frequency which is four times the frequency of the reference clock signal" (column 4, lines 33-36). Therefore, the counter in the first area and the counter in the second area are receiving identical clock signals from their respective phase lock loop circuits. Thus, the two said counters cyclically count the same value at a same timing. Arnould teaches that "following assertion of reset detection signal 74 (output of 48, Figure 5), slave divider 34 is set to position one and begins counting position one, position two, position zero, position one, etc." (column 8, lines 31-34). Therefore, the second circuit 26 supplied with a counter signal (as shown in Figure 2) supplies the first circuit (26 of the slave divider, Figure 3) with a second signal (reset slave, Figure 5) which contains information on a value of a counter signal (i.e. reset signal) obtained upon reception of the first signal (inherent based on structure).

***Allowable Subject Matter***

10. Claims 7-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL ROJAS whose telephone number is (571)270-5070. The examiner can normally be reached on Monday-Friday 7:30-8 EST, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Richards can be reached on 571-272-1736. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tuan T. Lam/

Art Unit: 2816

Primary Examiner, Art Unit 2816

/D. R./

Examiner, Art Unit 2816